

**NURSING HOME ADMINISTRATORS EXAMINING BOARD  
MINUTES  
MADISON, WISCONSIN  
DECEMBER 16, 1998**

**PRESENT:** Shirley Keller, Rhoda Arzoomanian, Karen Davis-Robinson, Nancy Harper, Robert Mulder, Patricia Schulz, Jerry Schallock

**EXCUSED:** Omar Barberena, Phyllis Tschumper, Roland Hammer

**STAFF PRESENT:** Cletus Hansen, Ruby Jefferson-Moore, Michelle Krisher; Marlene Cummings, Darwin Tichenor, Jack Temby, and Division of Enforcement Staff were present for portions of the meeting.

**GUESTS:** Glenda Zielski, CNHA, American College of Healthcare Administrators  
Scott Stegall, MHSA, Ph.D., UW-Milwaukee-HCA Program

**CALL TO ORDER**

The meeting was called to order at 9:32 a.m. by Shirley Keller, Chair. A quorum of seven members was present.

**AGENDA**

**MOTION:** Rhoda Arzoomanian moved, seconded by Karen Davis-Robinson, to approve the agenda as published. Motion carried unanimously.

**MINUTES (8/20/98)**

**MOTION:** Robert Mulder moved, seconded by Karen Davis-Robinson, to approve the minutes as written. Motion carried unanimously.

**ADMINISTRATIVE REPORT**

**Secretary Cummings' Report**

Secretary Marlene Cummings informed the Board of the proposed licensing fees for nursing home administrators, which are in the biennial budget bill submitted to the Department of Administration.

Secretary Cummings reported that every applicant for a nursing home administrator's license undergoes a criminal record background check, the fee for which is charged to the applicant.

**Bureau Director's Report**

• **New Board Members**

New Board member appointees, Jerry Schallock and Patricia Schulz, were introduced to the Board.

• **Board Roster**

The Board received a copy of the Nursing Home Administrators Examining Board roster. The Board requested that the Department's 800 number be listed on the roster.

- **1999 Meeting Dates**

The Board received a copy of the 1999 complaint screening dates and the meeting dates of the Nursing Home Administrators Examining Board. Noted.

- **Regulatory Digest**

The Board received the November, 1998, Regulatory Digest. Noted.

- **To Pass Folder**

Information was circulated in the To Pass Folder and duly noted.

## **LEGISLATIVE UPDATE**

### **LRB-0740/1 re: Requirements that Apply to a Person Taking the Examination for a Nursing Home Administrator License**

The Board received a copy of LRB-0740/1, relating to the requirements that apply to a person taking the examination for a nursing home administrator license. Cletus Hansen encouraged Board members to review the revised chart that explains the proposed changes and the reasons for the proposed changes and submit their comments.

The Board discussed the rationale for requiring an applicant to have a bachelor's degree before being allowed to take the examination for a nursing home administrator license. The proposed legislation is consistent with the policy of the National Association of Boards of Examiners of Long Term Care Administrators (NAB) to require examination applicants to hold no less than a baccalaureate degree to sit for the NAB examination, which becomes effective June 30, 2001.

MOTION: Karen Davis-Robinson moved, seconded by Rhoda Arzoomanian, to introduce LRB-0740/1 along with the revised chart. Karen Davis-Robinson has been delegated to testify in support of the proposal at any legislative hearings. Motion carried unanimously.

The Board requested that Secretary Cummings discuss the proposed legislation with the Board at its February meeting, or contact Shirley Keller or Karen Davis-Robinson with any concerns she may have relating to the proposal.

## **ADMINISTRATIVE RULES UPDATE**

### **Proposed Rules re: Issuance and Use of Administrative Warnings**

The Board received a copy of the proposed rules relating to the issuance and use of administrative warnings and a copy of the Board's request to amend RL 8.02(5)(b). Cletus Hansen noted the only change made to the proposal is under RL 8.03(3), which has been amended to read, "that the misconduct is a minor violation of a statute or rule related to the profession or other conduct for discipline may be imposed. "

### **PROPOSED FEDERAL RULES RE: HEALTH CARE FRAUD AND ABUSE DATA COLLECTION**

The Board received a copy of proposed federal rules relating to the reporting of certain final adverse actions against health care providers to a federal fraud and abuse data bank. Ruby Jefferson-Moore explained that the Health Insurance Portability and Accountability Act (HIPAA) of 1996 requires the establishment of the Health Protection and Integrity Data Bank (HIPDB). All boards responsible for licensure of healthcare professionals must report final actions to the HIPDB retroactive to August of 1996.

The Board discussed issues relating to Board access to the data bank to obtain information on out-of-state applicants. The Board had no comments to submit and requested that Randy Lindner, Executive Director of NAB, be contacted for NAB's opinion on the proposal.

### **EXAMINATION ISSUES**

Darwin Tichenor distributed a selection of the minutes from the NAB Board of Governor's June 19, 1998, meeting, where a motion was passed in which NAB recommended that the BA degree requirement be in place by June 30, 2001. The Board requested that NAB provide a current update on how many states require less than a bachelor's degree for licensing nursing home administrators. Mr. Tichenor will contact NAB to clarify issues relating to what the bachelor's degree requirements are and whether or not the NAB examination can be utilized by states that do not require the bachelor's degree.

The Board received a copy of Darwin Tichenor's October 28, 1998, memorandum and NAB survey, relating to computer administration of state examinations. The survey expresses the Board's interest in exploring a computer administration of the Wisconsin examination.

### **BOARD MEMBER ACTIVITY**

#### **Report Re: 1998 Annual Meeting of the Citizens Advocacy Center**

Tabled until the February meeting.

#### **Other**

Nothing to report.

### **LONG-TERM CARE PROGRAM**

Scott Stegall, Assistant Professor at the University of Wisconsin-Milwaukee, distributed a syllabus, relating to a Competency-Based Administrative Internship in Long-Term Care Organization, which he helped develop while a faculty member at the University of Osteopathic Medicine and Health Sciences in Des Moines, Iowa. Mr. Stegall explained the long-term care program and noted that the University of Wisconsin-Milwaukee is interested in the possibility of developing a similar program. The Board was informed that developing a post-graduate certificate in a distance learning format is being discussed. It is anticipated that the University of Milwaukee will be forming an advisory committee in order to develop a curriculum.

### **CERTIFICATION PROGRAM FOR NURSING HOME ADMINISTRATORS**

Glenda Zielski, Certified Nursing Home Administrator and Fellow of the American College of Health Care Administrators (ACHCA), joined the meeting via phone to explain the certification

program for nursing home administrators offered by ACHCA. The Board received informational handouts relating to the program.

The Board discussed options to proceed with accepting certification as reciprocity for licensure. and requested that Ms. Zielski submit information relating to the educational requirements of the certification program. The Board also requested information about the number states that accept the certification as reciprocity, the number of states that have individual state statutes affecting nursing home administrators, and the number of these states which suggest or mandate a state test. A list of the states that accept certification as reciprocity will be submitted to the Board.

Ruby Jefferson-Moore will determine what changes would need to be made in the statutes and rules in order for the Board to be able to utilize the certification program of ACHCA as an option for endorsement and reciprocity of licensure. The Board will discuss this further at its February meeting.

## **DIVISION OF ENFORCEMENT ISSUES**

### **Statistics**

The Board received documents relating to complaints that have been handled by the Nursing Home Administrators Examining Board over the years. Jack Temby, Division of Enforcement Administrator, explained the statistics contained within the documents.

### **Board Jurisdiction re: Corporations Whose Employees are the Subject of Complaints or Discipline**

The Board received a copy of the July 3, 1998, letter from Kay Houston of the Bureau of Quality Assurance, relating to a nursing facility that was determined to be providing Substandard Quality of Care. The Board discussed concerns relating to corporations who have been determined to be providing Substandard Quality of Care. The Board requested that the Division of Enforcement keep track of complaints received that are based upon a corporation that has provided Substandard Quality of Care.

## **MISCELLANEOUS CORRESPONDENCE/INFORMATION**

The Board received a copy of Secretary Cummings' August 21, 1998, letter to Representative Sheldon Wasserman, regarding the position expressed by the Pharmacy Examining Board, relating to extending to nursing homes the exemption provided hospitals from the generic substitution law.

The Board received several Milwaukee Journal Sentinel newspaper articles related to the regulatory problems that Mount Carmel Health and Rehabilitation Center, a nursing home in Greenfield, Wisconsin, is experiencing.

## **NEW BUSINESS**

The responsibilities of Board members appointed to the Board were discussed. The Board also discussed the importance of adequate representation from the Bureau of Quality Assurance

(BQA) at the Board meetings and requested BQA be contacted concerning the appointment of another representative.

### **RECESS TO CLOSED SESSION**

**MOTION:** Rhoda Arzoomanian moved, seconded by Nancy Harper, to convene the meeting in Closed Session pursuant to sections 19.85(1)(a), (b), and (f), Wis. Stats.: to consider the licensing or discipline of a person licensed by this Board or the investigation of charges against such a person. Specifically, to discuss monitoring reports, case status reports, case closings, stipulations, deliberations on stipulations that may be signed after printing of the agenda, deliberations on proposed disciplinary matters that may be signed after printing of the agenda, pending applications, examination issues, and disciplinary proceedings. Motion carried by a roll call vote: Shirley Keller-yes; Patricia Schulz-yes; Karen Davis-Robinson-yes; Jerry Schallock-yes; Rhoda Arzoomanian-yes; Nancy Harper-yes; Robert Mulder-yes.

Open Session recessed at 12:10 p.m.

The Board received a copy of the Case Status Report.

The Board deliberated on stipulations, reinstatement requests, and pending applications.

### **RECONVENE IN OPEN SESSION**

**MOTION:** Karen Davis-Robinson moved, seconded by Rhoda Arzoomanian, to reconvene in Open Session at 12:35 p.m. Motion carried unanimously.

### **VOTING ON ITEMS CONSIDERED OR DELIBERATED UPON IN CLOSED SESSION**

#### **STIPULATION**

**MOTION:** Robert Mulder moved, seconded by Karen Davis-Robinson, to accept the Findings of Fact, Conclusions of Law and Order in the disciplinary matters involving **THOMAS WONDOLKOWSKI**. Motion carried unanimously.

#### **REQUEST FOR REINSTATEMENT**

**MOTION:** Karen Davis-Robinson moved, seconded by Rhoda Arzoomanian, to deny the reinstatement request of **GORDON EGELSEER** and require that he take the state and federal examinations. Motion carried unanimously.

#### **APPLICATION REVIEW**

**MOTION:** Karen Davis-Robinson moved, seconded by Rhoda Arzoomanian, to deny the application for licensure by reciprocity for **LINDA LONDO**. Motion carried unanimously.

## **OTHER ITEMS AS AUTHORIZED BY LAW**

Nothing to report.

## **ADJOURNMENT**

MOTION: Karen Davis-Robinson moved, seconded by Rhoda Arzoomanian, to adjourn the meeting at 12:40 p.m. Motion carried unanimously.

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